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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,763	01/19/2001	Roger P. Hoffman	P/2-89	9720
7590	12/22/2005		EXAMINER	
Philip M. Weiss, Esq Weiss & Weiss 300 Old Country Road, Suite 251 Mineola, NY 11501			BORISSOV, IGOR N	
			ART UNIT	PAPER NUMBER
			3639	
DATE MAILED: 12/22/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/765,763	HOFFMAN, ROGER P.	
	Examiner	Art Unit	
	Igor Borissov	3639	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11 October 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Amendment received on 10/11/2005 is acknowledged and entered. Claims 1, 6, 7, 9-11 and 17 have been amended. Claims 1-17 are currently pending in the application.

Claim Objections

Claim 17 is objected to because of the following informalities:

The system Claim 17 recite “information stored in MiniPortal(s)” and “information stored in a MicroPortal(s)” as structural elements of the system., which is confusing. The “information” is not a structural element. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per Claim 10. The Claim is confusing because the term “said system” lacks antecedent basis. The preamble of the Claim recites: “A method for crating an integrated portal system, comprising:”; while a first method steps recites only “entering job characteristics of a user into a computer database”. Said step alone cannot create “a portal system”. Furthermore, the second method step recites: “said system creating said integrated portal system based on said job characteristics of said user”, which is confusing, because it indicates that an additional system has to be used for creating said integrated portal system.

Claim Rejections under 35 USC § 101 have been withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 4-5, 7, 9-13 and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Chipman et al. (US 6,292, 894).

Chipman et al. (Chipman) teach a method and system for retrieving, organizing and utilizing networked data, comprising:

As per claim 1,

an industry related portal (column 4, lines 10-17);

a second portal of a different industry (column 4, lines 10-17); Chipman explicitly teaches that applications of said invention may include various industries, including aerospace industry, automotive industry, electronics, pharmaceutical and other industries (C. 14, L. 7-12);

said system integrating said portals so that a user can view information relating to both portals in a single system (column 2, lines 46-54; column 3, lines 51-65).

As per claim 2, said method and system, wherein said user can order part or services (column 12, lines 40-41).

As per claims 4-5 and 9, said method and system, further comprising a search engine (column 6, line 63 – column 7, lines 14).

As per claim 7, said method and system, further comprising product specification information (column 9, lines 56-63).

As per claim 10, said method and system, wherein the integrated portal system is created based on entering job characteristics of a user (column 7, lines 37-56).

As per claim 11, said method and system, comprising an industrial database comprising a search engine; said database having product or service specifications, product reports product and a system for answering questions from a user (column 5, lines 59-62; column 6, line 63 – column 7, lines 14; column 10, lines 26-34).

As per claims 12-13, said method and system, comprising a list of vendors and vendor product information (column 9, lines 36-65).

As per claim 16, said method and system, wherein said database provides a price analysis mechanism (column 12, lines 37-38).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 8, 14-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chipman et al.

As per claims 3 and 8, Chipman teaches all the limitations of claims 3, 8 and 17, including a governing portal for each industry, and other portals in that industry, except specifically teaching that said portals include following definitions: a *mini* portal and *macro* portal.

However, these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The functions performed by said system would be the same regardless of the definition of the recited portals. Thus, this descriptive material will not distinguish the claimed invention from the prior art

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in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

As per claims 14 and 15, Chipman teaches all the limitations of claims 14 and 15, except specifically teaching characteristic and usage templates. However, Chipman does teach that information in a database can be presented in a template form, said information specifying the supplied products and processes (column 10, lines 25-30).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Chipman to include that said template is a characteristic or usage template, because it would advantageously simplify the processing of information.

As per Claim 17, Chipman teaches said system including governing portal, sector portal, and other portals (column 4, lines 10-17), except specifically teaching that said portals include following definitions: a *mini* portal and *macro* portal.

However, these differences are only found in the nonfunctional descriptive material and are not functionally involved in the steps recited. The functions performed by said system would be the same regardless of the definition of the recited portals. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chipman et al. in view of Rangan (US 6,412,073).

As per claim 6, Chipman teaches said method and system, including ontology tracking component (column 11, lines 35-37).

Chipman does not specifically teach that the ontology tracking component includes transaction-tracking component.

Rangan teaches a method and system for user-interactive portals accessible via the Internet, wherein a facility is provided for automatically tracking transactions made at various destinations (column 8, lines 20-21).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Chipman to include transaction tracking component, as disclosed in Rangan, because it would advantageously allow to automate processing of the transactions for the users, as specifically stated in Rangan (C. 8, L. 19-23).

Response to Arguments

Applicant's arguments filed 10/11/2005 have been fully considered but they are not persuasive.

In response to applicant's argument that Chipman fails to teach that "a user can view information relating to both portals in a single system" (Remarks, page 9), it is noted that Chipman explicitly teaches a plurality of various industries. Specifically, Chipman teaches that applications of said invention may include various industries, including aerospace industry, automotive industry, electronics, pharmaceutical and other industries (C. 14, L. 7-12). Furthermore, an advantage of Chipman's system is shown as overcoming the existing problem of current design which does not allow to integrate various electronic tools in such application fields (sectors) as computer aided design, structural analysis, costing, manufacturing, planning, etc. In Chipman's system a user can search for information related to any industry, and view located *information relating to a plurality of portals of various industries*. If Applicant intends to say that the phrase "view ... both portals in a single system" means simultaneously displaying information related to both portals on a screen, it is noted that said features are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's argument that Chipman fails to teach that the user performs a transaction (Remarks, page 12, line 8), it is noted that Applicant admitted that Chipman does teach performing a transaction (Remarks, page 13, line 3). Furthermore, the examiner points out that Chipman teaches: "baseline ontology

methods may include ... price or cost analysis, calculation of lead time required for product delivery, ... a function for ordering parts, and a function of ordering services" (C. 12, L. 37-41).

In response to applicant's argument that Chipman fails to teach "entering job characteristics of a user" (Remarks, page 13, line 14-15), it is noted that Chipman teaches that the user can use said system for searching a brushless motor (column 7, lines 37-56), which the examiner understands as entering user's job related information. As per applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "a person who is in charge of delivery and logistics for a company") are not recited in the rejected Claim 10 (Remarks, page 13, line 14-15). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's argument that Chipman fails to teach that the system answers questions from a user (Remarks, page 14, line 18), it is noted that Chipman explicitly teaches said feature: "portal 102 stores some information which may answer some initial questions for user 103 and point to suppliers 104 and 105 for additional information" (C. 5, L. 59-62).

In response to applicant's argument that Chipman fails to teach "vertical market portals" and "niches within industries" it is noted that the features upon which applicant relies are not recited in the rejected Claims 3, 8 and 17. (Remarks, page 15, lines 21-22). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In response to applicant's argument that Chipman fails to teach that the database includes a usage template (Remarks, page 17, lines 5-6), it is noted that Chipman

teaches that information in a database can be presented in a template form, said information specifying the supplied products and processes (column 10, lines 25-30).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure (see form PTO-892).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Igor Borissov whose telephone number is 571-272-6801. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Igor Borissov
Patent Examiner
Art Unit 3629



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12/24/2005